



ALL HANDS ON DECK!

Prime Minister Dr. Kenny D. Anthony outlines the path ahead for the economy

The St Lucia economy is showing stronger signs of recovery and is on course to grow by 2.3 per cent in 2003. This upbeat forecast by the International Monetary Fund, follows the conclusion of the latest Article IV assessment of the island's economic performance. Every IMF member country - from the richest to the poorest - undergoes this routine annual or biennial exercise.

However, Prime Minister and Minister for Finance and Economic Affairs, Hon. Dr. Kenny D. Anthony, says critical challenges remain, as St Lucia must complete the transition from a monocrop economy dependent on bananas, to a modern diversified economy "where agriculture, manufacturing and tourism stand side by side with telecommunications, cultural industries, financial services, construction, information technology and other knowledge-based economic activity".

"When we look at the economy today, we can say that we are beginning to see the light," says Dr. Anthony, commenting against the backdrop of the past three trying years. "Non-traditional exports are increasing. Manufactured exports are up. Government revenue is improved. The financial services sector is growing. The telecommunications sector is expanding, and the tourism sector is recovering steadily."

Tourism, led by buoyant activity during the summer, has played a leading role in the economic turnaround, as well as manufacturing and telecommunications to a lesser extent. Long stay tourist arrivals, at over 253,000, have set a new record, beating the previous 2000 benchmark, and the industry is on course to record an overall increase in arrivals of 11 per cent for the year. Cruise ship arrivals are up 24 per cent, with the promise of better to come next year with 49 scheduled ship calls during the summer compared with nine this summer.

2004 prospects for tourism are further enhanced by increased airlift out of key markets. Virgin Atlantic, flying out of London, England, is increasing the number

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Prime Minister Dr. Kenny D. Anthony providing the leadership to tackle every sector in the economy.



CRUISE TOURISM: A 24% increase in passengers as tourism makes impressive gains.

EDITORIAL

HISTORIC AGREEMENT

As St Lucia heads towards the historic milestone of 25 years of Independence early in the new year, there have been a few encouraging signs recently that suggest our growing maturity as a nation.

The most obvious is a welcome agreement between Government and the Opposition, providing for bipartisan cooperation in the conduct of the first comprehensive review of the St Lucia Constitution since Independence on February 22, 1979.

The announcement was made at an historic news conference on Friday, November 21st, where, for the first time in living memory, a Prime Minister of St Lucia and a Leader of the Opposition sat side by side to pledge commitment to working together for the national good.

Traditionally in Caribbean countries with the Westminster system, Oppositions have tended to take a narrow view of their Constitutional function. They have, generally speaking, limited their role to opposing Government, sometimes going to ridiculous extremes. Happily, St Lucia is breaking with the tradition and it augurs well for national development.

Cooperating with Government on national issues does not mean the Opposition has to surrender its vital role of keeping tabs on the Government. Far from it! Neither does it mean that the Opposition has to cast aside its legitimate democratic aspirations of hoping to form the Government sometime in the future.

In fact, Prime Minister, Hon. Dr. Kenny D. Anthony, made this clear at the February 21st news conference. "Yes, there must be competition, there will be rivalry but I think we have to work together towards carving out those things that are important to the country as a whole," he said. "Today's announcement has lessons for both political parties ... that we both wish to say to those who support us that there is need for consensus on certain national issues and we are prepared to work towards that consensus."



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Every Friday at 6.15 p.m. on **NTN**, Cablevision Channel 2.

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ALL HANDS ON DECK!

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of non-stop flights to the island from one to three a week. Condor has just started a service out of Germany and, in time for the winter season, Delta is putting on a direct flight out of Atlanta in the United States. A service out of Manchester by charter airline, Britannia, means additional seats out of the UK and, come next June, Air Luxor will start flying from Portugal.

These services are in addition to current flights operated by Air Jamaica, BWIA, British Airways and American Eagle. There are also encouraging signs that American Airlines, which ceased operations at Hewanorra a few years ago, may be planning to resume flights without Government having to provide a subsidy as was previously a condition for the service.

Freeing-up Markets

Current economic challenges facing St Lucia stem largely from globalization-related developments which are placing pressure on the island to adjust to the new way the world is doing business. Two examples are the Free Trade Area of the Americas (FTAA) and the CARICOM Single Market and Economy (CSME) to be launched within the next three years. Both initiatives will force St Lucian business to become more competitive, and will require St Lucia and other participating countries to abolish certain duties and taxes on imports as part of the process of freeing up markets.

Regardless of who forms the Government, Dr. Anthony says, the projected loss of revenue from this key source is an issue that St Lucia will have to confront in another three years. "Along with other OECS and CARICOM countries, St Lucia will have to decide whether to follow Barbados, Trinidad and Jamaica in creating some form of Value Added Tax (VAT)," he explains. "I want to make clear that our Government has not

made that decision because we believe that this is a period of assessment, consultation. That decision will have to be made within the next three years either in time for the next general election or immediately after the next general election. That is the reality."

Avoiding Mistakes of the Past

"These are decisions that we cannot postpone and we must work with the Opposition to resolve as best as we could," he emphatically adds. "We have no choice. We have to decide whether we are in or out. If you are out, crapaud smoke your pipe because you'll be existing in a hostile sea where other countries would have removed barriers to their own trade and the United States itself would have no compunction about imposing restrictions on you."



BANANAS: Over \$140 million in government support to restructure and reposition the industry.

Dr. Anthony is warning St Lucia that it must not repeat the mistake of the past decade when it failed to make a timely adjustment to cushion the consequences of an erosion of European preferences for banana exports. Contrary to what some persons apparently believed, he says St Lucia's European "friends" did not intervene to stop the dismantling of the preferential regime, under which Windward Islands bananas traditionally fetched a premium guaranteed



EDUCATION: Construction of new schools – an integral part of Government's modernization strategy.

price. In fact, such a move would have been virtually impossible in the context of World Trade Organization (WTO) regulations promoting global trade liberalization.

As Dr Anthony sees it, the challenge of transforming and repositioning the St Lucia economy to improve growth prospects is similar to when the island had to make a critical switch from sugar to bananas as the main export crop almost 50 years ago. Just as the 1950/60s Labour government of Sir George F.L. Charles took on the challenge, Dr. Anthony says the incumbent Labour administration will not run shirk from its "historic responsibility" to put St Lucia on a firmer footing through the creation of a diversified services-led economy.

The Banana Industry

"Like the Israelites at the Red Sea, we need to cross over," he beckons. "We must cross over or be damned to live and die indentured to an industry with a limited future. We must realize that we need to move confidently into the next phase of our economic evolution. The banana industry has served us well and will continue to serve us in the short term but bananas alone will not be enough."

The Prime Minister further explains: "In this day and age, we cannot be a one-crop economy. That is the mistake which held us captive, which made us prisoners. Now we are afraid because we did not use the good years (when bananas were doing well) to save, to develop new industries, to plan our way across the red sea of economic uncertainty."

Dr Anthony is urging St Lucians to have confidence about the future. "If we want it," he says, the future can be "laden with hope and opportunity". In the meantime, he wants all St Lucians to put their hands on deck and take on the challenge. As for Government, Dr. Anthony says it will pursue the task of adjustment with the same

courage and determination to deliver, as it did on its promise to turn around the economy, especially the revival of the hotel sector following the severe beating it took from the September 11, 2001 terrorist attacks on America.

Government is already pursuing several programmes to support the adjustment and to cushion any adverse impacts on citizens. Among them are the Poverty Reduction Fund to improve the standard of living for less fortunate citizens, the Office of Private Sector Relations to support local

"We knew as a Government, since 1997 that this country would go through difficulties."

business in the quest for improved competitiveness, the James Belgrave Fund and the Rural Credit Scheme to help St Lucians become self-sufficient by setting up small businesses, the National Skills Development Centre to give unskilled St Lucians the wherewithal to earn a living, the modernization of the island's laws and physical infrastructure, especially the road network, construction of new schools and new general and psychiatric hospitals.

"This Government believes in the future, no matter how difficult the road ahead may appear to be sometimes," says Dr Anthony. "The legacy of this St Lucia Labour Party Government is to be visionary, to modernize, to prepare St Lucia for the future. Our task is to reposition St Lucia to achieve and sustain a rate of growth and development which satisfies the desire of all St Lucians for self-advancement in an equitable and just society."

Log on to the 25th Independence Anniversary website

saintluciasilver.org



The numbers of stayover visitors have also been on the increase

THE REVENUE AUTHORITY

In response to the challenges confronted with respect to the governance of the Inland Revenue and Customs and Excise Department, the Government of Saint Lucia proposed the establishment of the Revenue Authority in the Budget Address for Financial Year 2003/04. The Authority will be the administrative entity that governs the operations of the Departments. The objectives of the Revenue Authority will be:

1. To rationalize the operations of the Customs and Inland Revenue Departments;
2. To introduce more professional, efficient and cost-effective management practices;
3. To streamline the common services of personnel, training, accounting, development and maintenance of IT systems, document processing and administrative support;
4. To increase the effectiveness of technical activities resulting from the synergy of the merged agencies, such as audit and collection.

In accordance with the statement in this year's Budget Speech, a Steering Committee chaired by the Permanent Secretary of the Ministry of Finance, International Financial Services and Economic Affairs and comprising of members from the private and public sector was established on September 3, 2003. Its purpose is to examine, inter alia, the administrative, legal and technical arrangements for the establishment of the Revenue Authority, and it is to be comprised of representatives from the Public and Private Sector.

The composition of the Steering Committee is as follows:

Public Sector

Mr. Trevor Brathwaite	- Permanent Secretary, Ministry of Finance, International Financial Services & Economic Affairs, Chairman
Mr. James Charles	- Comptroller Inland Revenue Department
Mr. Herman St. Helen	- Comptroller Customs and Excise Department (Acting)
Mr. Wilbert King	- Permanent Secretary, Ministry of the Public Service
Mr. Andrew James	- General Secretary, St. Lucia Civil Service Association

Private Sector

Ms Loraine Jolie	- Legal Profession
Mr. Jn Francois Sonson	- Finance
Mr. Andre Chastanet	- Business Person
Mr. Keith Smith	- Business person
Mr. Arnold Clouden	- Customs Broker

Two (2) meetings of the Committee have been held in an effort to initiate the process and to have a better understanding of the intricacies of the Customs and Excise and Inland Revenue Departments, and the Revenue Authority. These are listed below.

- An Inaugural Meeting on Monday, October 27, 2003
- A Presentation on the Role of the Customs and Excise and Inland Revenue Departments and the Various Forms of Revenue Authorities on Monday, November 10, 2003. The Presentations provided information on the fundamental features that will determine the formation and success of the Revenue Authority, and some insight into the operations, functions and general nature of the respective Departments.

In addition to the above, visits to the Customs and Excise and Inland Revenue Departments have been arranged on November 20, 2003 and November 27, 2003 respectively. It is envisaged that the visits to these Departments will engender more intimate discussions with the Management Teams, and other staff members, to the extent that the character of these Departments will become more definite and clear. During this process the Committee Members will be furnished with relevant documents and informational packages to assist in the determination of a model for the Revenue Authority and the development of the framework for the establishment of this model.

The next stage of the process will be the development of a Work Plan for the establishment of the Revenue Authority. For more details, please do not hesitate to call Mr. Trevor Brathwaite, Permanent Secretary, Ministry of Finance, International Financial Services and Economic Affairs, at telephone numbers (758) 468-5502/3; E-mail tbrathwaite@gosl.gov.lc or Ms. Marie Alexander, Economist, Corporate Officer on 758-468-5506 or e-mail alexanderm@gosl.gov.lc.

GOVERNMENT VACANCIES

The Ministry of Education, Human Resource Development, Youth and Sports has a vacancy for a **Vice Principal at the Vide Boutielle Secondary School**.

The main duties of the post are: to work in collaboration with the Principal and the Ministry of Education, Human Resource Development, Youth & Sports; to be responsible for the time-tabling and class organisation; to monitor activities under 3.2 and ensure their successful implementation; to enforce discipline and ensure that all students follow their programme of work; to assist the Principal generally with administrative duties; to take charge of the school in the absence of the Principal; and to ensure the acquisition of instructional materials for Heads of Department.

Applicants should have previous experience in serving as a Vice-Principal. Knowledge of the culture of the particular school will be an asset. Qualifications and experience are a Bachelor's Degree from a recognised University; experience in Education Administration (a post Graduate Diploma/ Degree in Educational Administration or IOB Executive Diploma would be an asset) and teaching and/or administrative experience at a secondary school

Salary is the range of \$45,890.49 - \$48,763.03 per annum (Grade 14 – 15).

Applications, on the prescribed forms, should be accompanied by relevant documents/transcripts from the relevant institutions, as well as two confidential testimonials, one of which should be from the applicant's immediate supervisor. They must be sent to: **The Secretary, Teaching Service Commission, Stanislaus James Buildings, The Waterfront, Castries** to reach her no later than **December 31, 2003**.

Applications are invited from suitably qualified persons for appointment to the post of **Crown Lands Officer, I, II or III**, in the Ministry of Physical Development, Environment and Housing.

Applicants should possess: a Bachelor's Degree in Land Use/Land Management or related field plus two (2) years experience in a post at Grade 10 and above, or , a Bachelor's Degree in Land Use or Land Management or related field with no previous experience, or , a Bachelor's Degree in Land Use/Land Management or related field plus eight (8) years experience in a post at Grade 7 and above, or, a Diploma from a recognised University in Land Use/Land Management or related field plus three (3) years experience in a post at Grade 10 and above, or a Diploma in Land Use/Land Management or related field plus five (5) years experience, or, a Certificate from a recognised University in Land Use/Land Management or related field plus eight (8) years experience in a post at Grade 7 and above.

The successful applicant will be required to report and work under the direction of and report to the Commissioner of Crown Lands. He/she will also be required to respond whenever necessary to the Permanent Secretary, Ministry of Physical Development, Environment and Housing on matters related to work in progress. He/she will be required, among other things to: supervise and co-ordinate the work of the junior technical staff; investigate and report on applications and other matters related to the use of Crown property; assist the Crown Lands Surveyor by acting as survey party chief from time to time; prepare and maintain records of work schedules on an on-going basis; and assist in and supervise the demarcation, monumentation and monitoring of Crown property.

Salaries are in the following ranges: Crown Lands Officer I - \$33,979.97 - \$36,221.96 per annum (grade 10); Crown Lands Officer II - \$37,062.69 - \$39,304.68 per annum (grade 11); Crown Lands Officer III - \$40,145.34 - \$42,387.40 per annum (grade 12). Point of entry will be determined by the applicant's qualifications and experience.

Applications on the prescribed form along with references and certified copies of documents pertaining to qualifications should be addressed to: **The Secretary, Public Service Commission, Block A, Waterfront, Castries** to reach her no later than **December 31, 2003**.

The Inland Revenue Department, Ministry of Finance, International Financial Services and Economic Affairs is looking to recruit an Assistant Systems Administrator. Applicants should possess: a Bachelor's Degree in Computer Science plus two (2) years experience in a post at Grade 10 and above; **or**, a Bachelor's Degree in Computer Science plus eight (8) years total experience in a post at Grade 7 and above; **or**, a Diploma in Computer Science plus three (3) years experience in a post at Grade 10 and above.

All applicants should have at least two (2) years experience as an Analyst/Programmer or Systems Analyst.

The successful applicant will be required, among other tasks, to maintain the SIGTAS system by: enhancing existing systems and developing new systems with good use of information systems design and developing techniques; project management for all systems development being undertaken; full data administration, encompassing business, data and process modelling and the control and maintenance of all Data Base Management Systems required by the Department; PC programming support and maintenance; Planning and development for Local Area Network in the PC environment; Control maintenance of software and hardware standardization throughout the Department; Staff training on an on-going basis

Salary is in the range \$40,145.41 - \$42,387.40 per annum (Grade 12). Applications on the prescribed form along with references and certified copies of documents pertaining to qualifications should be addressed to: **The Secretary, Public Service Commission, Block A, Waterfront, Castries**, to reach her no later than **December 19, 2003**.

CONSTITUTION ACCO

A quarter of a century after it became the supreme law of the land following Independence from Britain, St. Lucia's Constitution - officially known as Statutory Instrument (SI) 1978, No. 1901 of the British Parliament - is set to undergo its first comprehensive review.

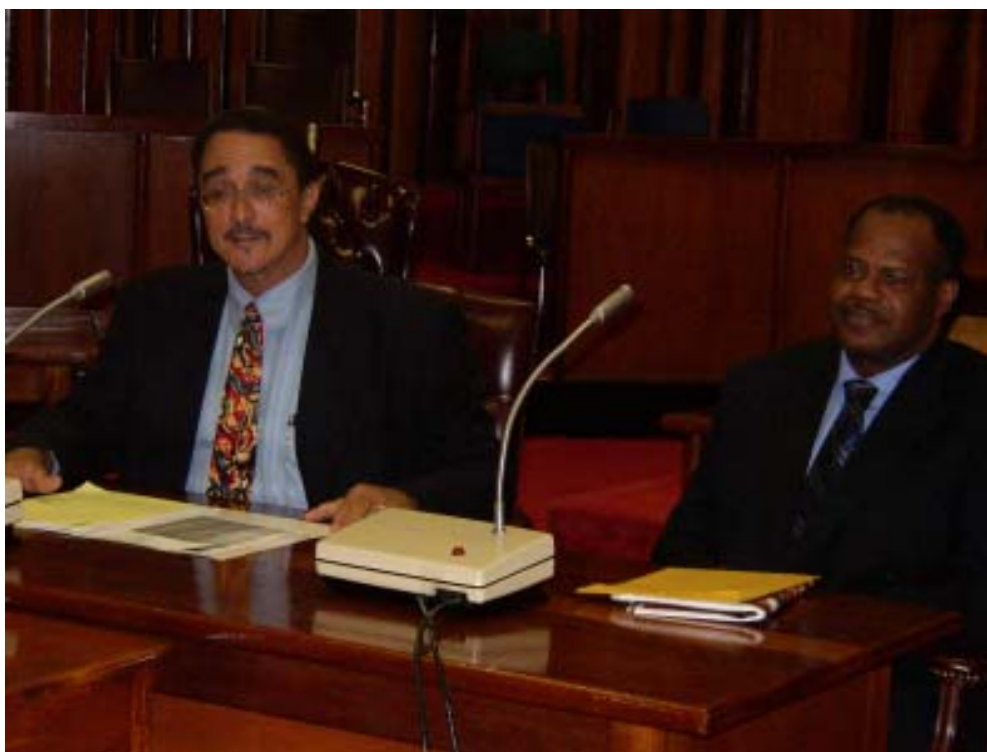
"The Constitution is now over 24 years old," says Prime Minister, Hon. Dr. Kenny D. Anthony. "There is need to take stock and to examine what changes, if any, should be made in order to widen and deepen democracy in St Lucia." He adds: "Our practical experience has revealed that there are several aspects of the Constitution which require urgent overhaul."

On Friday, November 21st, Dr. Anthony and Opposition Leader, Hon. Arsene James, hosted an historic press conference inside the Parliament chamber to announce that Government and the Opposition agree that reforming the Constitution is the way to go. It was the first time in living memory that a St Lucian Prime Minister and Opposition Leader had sat side by side in a public show of cooperation on a fundamental national issue.

"...the Constitution of St Lucia affects all St Lucians whether you are on the governing side or on the opposition side," says Mr. James, the parliamentary representative for Micoud South. "We are convinced that since the Constitution is 24 years old, that there is need to revise and review the Constitution in order to decide what changes should be made, or should not be made, to meet the challenges of the changing times."

Constitutional Review Commission

The review process, expected to take some two-and-a-half years, officially gets going when Government introduces a resolution at the next sitting of the House of Assembly, seeking authorization for the establishment of a broad-based Constitutional Review Commission (CRC). After that, following a series of consultations on key appointments



QUESTION TIME: Dr. Anthony and Mr. James explain the review process to reporters.

between Dr. Anthony and Mr. James, and then between Dr. Anthony and leading interest groups being asked to provide representatives, the commission should be ready to get down to business as early as the first quarter of 2004.

As Dr. Anthony explains, "the objectives of the reform exercise are principally to promote meaningful expansion and widening of democratic participation by citizens in government, to address possible weaknesses in the constitutional framework which political practice has highlighted over the years, to refashion the Constitution so that it better accords with our social and political circumstances, and to promote better governance and greater equity in the constitutional framework generally."

He adds: "The process also seeks to assist citizens in refining and better understanding the political and democratic values to which St Lucia is committed."

Operating under the aegis of Parliament, the CRC will comprise representatives of every major interest group. Among them, the governing St Lucia Labour Party, the

opposition United Workers Party, the St Lucia Chamber of Commerce, Industry and Agriculture, the St Lucia Bar Association, the St Lucia Christian Council, the St Lucia Teachers Union, the National Youth Council, the St Lucia Credit Union League, the St Lucia Media Association, the St Lucia Medical Association, farmers organizations, women's organizations, trade unions, cultural organizations, and St Lucian non-governmental organizations (NGOs) both here and overseas. Members and officers of Parliament - that is, the House of Assembly and Senate - are ineligible to sit on the Commission.

Governor-General, Her Excellency Dame Pearlette Louisy, will be responsible for making the appointments. In some cases, she will do so on the advice of the Prime Minister. In others, it will be on the recommendation of the Leader of the Opposition. The appointment of the chairperson, for example, will be on the advice of the Prime Minister following consultation with the Leader of the Opposition.

Bipartisan Membership

The deputy chairperson, on the other hand, will be appointed on the advice of the Leader of the Opposition following consultation with the Prime Minister. Additionally, under the bipartisan agreement reached between the Government and Opposition, the Prime Minister will submit five nominees for appointment while the Leader of the Opposition will recommend two. In every other case, appointments will be on the recommendation of the Prime Minister following consultation with the organizations being asked to supply representatives.

"It is our hope and our expectation that the Commission will consult widely with the citizens and organizations of St Lucia,

whether in St Lucia or abroad, by such manner and procedure as the Commission determines to receive and examine proposals from the general public, prepare and disseminate such material as might be relevant so as to widen public knowledge and appreciation of the Constitution, generate public interest in the subject matter by means of public meetings throughout the island, radio, 'call-in' programmes, other public discussions, pamphlets and information kits, or any other methods of communication which the Commission deems appropriate, in both English and Kweyol," says Dr. Anthony, a constitutional lawyer.

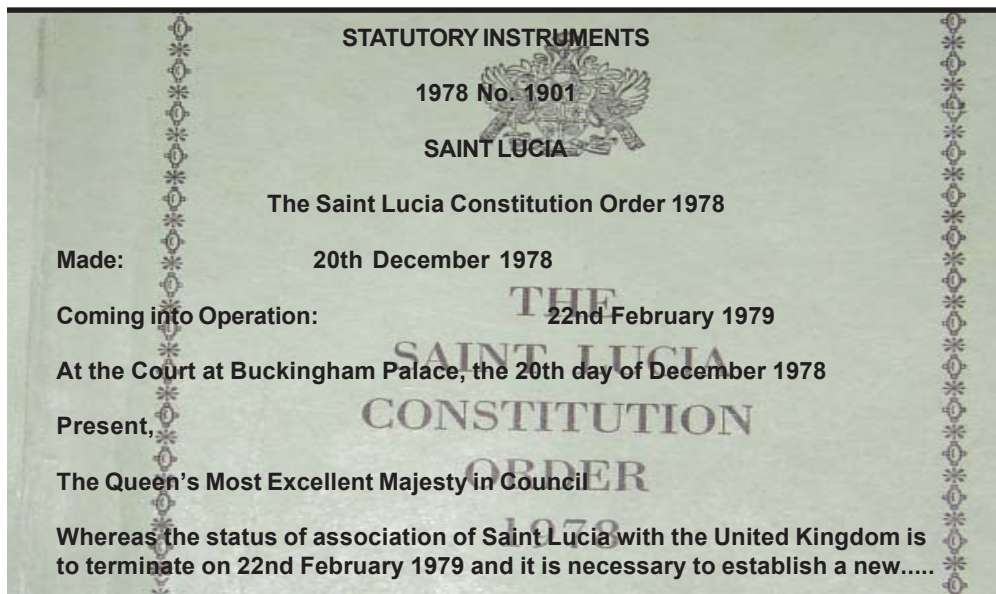
Public Sensitisation

The review will be conducted in three phases. Phase one involves extensive public sensitization and education about the Constitution, its provisions and the need for reform. To facilitate this particular exercise which is expected to take three months, the production of a 'layman's guide' to the Constitution is planned, among other things. This reader-friendly document will be widely distributed through local government bodies, schools, civil society and community groups. In addition, there will be a media campaign to make St Lucians aware of what the Constitution Review Commission is all about.

Phase two is when the Commission actually gets down to the business of holding consultations. Besides meeting various interest groups such as religious organizations, trade unions and private sector entities, it's proposed that the Commission will hold public hearings in each of the island's 17 constituencies. Citizens will be encouraged to come and have their say at these sessions which are expected to be



Journalists and reporters take the s



25 YEARS OLD: The St Lucia Constitution.

ORD-BIPARTISAN SUPPORT FOR REFORM

roadcast live on radio and television. There's also provision for the Commission to hold private sessions with the Judiciary, Public Service, and other public sector interests. Public consultations will also take place in cyberspace as the Commission will have its own Internet website.

Participation of Nationals Overseas

In the third phase, St Lucians living abroad will get an opportunity to have their say. For this purpose, it's proposed that the Commission will travel to countries where there are sizeable St Lucian communities. Particularly the United States, the United Kingdom, Canada, Martinique and St Croix. Altogether, the first round of consultations is expected to last up to four months.

"We are glad and happy that public participation will be key," says Mr. James. "We believe that any significant changes that deal with fundamental issues, the fundamental rights and freedom of the people, should go to a referendum if needs be. On this basis, we are happy to join the Government to work on such an important exercise."

Based on what has transpired in other Caribbean countries which have conducted similar reviews of their Constitutions in recent years, it's likely that a few issues which generated widespread discussion will feature in the forthcoming debate here. Among them, whether St Lucia should retain the monarchical system with the British monarch, represented by a Governor-General, as head of state. Or, whether there should be a switch to a republican form of government with a president as head of state. The fundamental

rights and freedoms of citizens is another issue expected to come up, as well as the repatriation of the Constitution.

"The formal reality is that the St Lucia Constitution is an order in council, deriving its authority from the British Parliament so that, in theory, while the power to amend the Constitution rests in the Parliament of St Lucia, it is still theoretically possible for the British Parliament to effectively repeal the parent act ...," explains Dr. Anthony, presenting the case for repatriation of the Constitution. "It does not accord with actual reality but it emphasizes ...that we need to think about establishing a mechanism that makes sure that the Constitution of St Lucia is a piece of legislation which is indigenous and autonomous. In other words, that it springs from our legislative will as a body of laws and it no longer resides ultimately in the British Parliament."

After the various consultations come to an end, the Constitution Review Commission will prepare an interim report for public discussion. The final report will follow a few months later and will go before Cabinet and Parliament for consideration. Then, once Parliament gives the OK to the recommendations, work will begin either to give effect to proposed amendments or to draft a new St Lucia Constitution will begin. This process is expected to take up to one year.

The CRC will be independent of Government and will operate out of a fully-staffed secretariat.



HISTORIC DEAL: Prime Minister, Hon. Dr. Kenny D. Anthony, and Opposition Leader, Hon. Arsene James, shake hands affirming the new spirit of bipartisan cooperation between Government and the Opposition.



Parliamentarians at this historic press conference in the House of Assembly.



ST LUCIA RECOGNIZES THE CCJ

When Caribbean people question the independence of the Caribbean Court of Justice (CCJ), as the region's final appellate court, Prime Minister, Hon. Dr. Kenny D. Anthony, has no difficulty understanding why.

"You cannot blame the Caribbean people sometimes," he says. "After all, who can ever forget that there was a certain judge, Monica Joseph, who was denied an extension of her appointment because a certain prime minister was unhappy with a judgement that she had delivered."

"When these things happen," he adds, "they have a way of enduring and causing people to lose confidence in the judicial system. But the historical record will show otherwise, that there is a genuine desire to ensure the full independence of the judicial system and ... this is in fact the case in respect of (the CCJ)."

Dr. Anthony's assurances came as the House of Assembly took the first legal step towards replacing the British Privy Council with the CCJ as St Lucia's final appellate court. In a solid show of bipartisan support at a regular sitting on Tuesday, November 18, legislators on both sides of the House gave unanimous approval to the Caribbean Court of Justice Agreement Bill recognizing the jurisdiction of the CCJ, albeit in a limited context for the time being.



CCJ ARCHITECT: As CARICOM'S General Counsel in the mid-90s, Prime Minister Dr Kenny D. Anthony had a hand in drafting the CCJ agreement.

the region, to the failure of regional governments to explain to the public how key institutions of the state work, especially how power and authority are allocated.

As a result, people have developed various misconceptions, deep-seated in some instances, which they believe to be true.

The recruitment of the other judges to serve on the CCJ will be done through an advertising campaign in the Caribbean and other parts of the Commonwealth. Appointments will be made by the Regional Judicial and Legal Services Commission.

"We on this side believe in Caribbean integration," says Opposition Leader, Hon. Arsene James, endorsing the CCJ. "We are confident that the people of the Caribbean have the potential and capacity to deliver."

To be officially launched in early 2004, the Port of Spain, Trinidad-headquartered CCJ will initially have just "original jurisdiction" in St Lucia. What this means is if a St Lucian manufacturer, for example, has a dispute with a company in another CARICOM country and that dispute stems from a provision of the CARICOM Treaty, the case can be taken all the way to the CCJ for final determination.

Constitutional Amendments

However, before the CCJ can adjudicate in regular court cases in what's called "appellate jurisdiction", Parliament first will have to make a number of amendments to the Constitution, a matter that's currently engaging the Government's attention. Until this is done, the Privy Council will remain as St Lucia's highest court.

Dr. Anthony, the CARICOM prime minister with lead responsibility for Justice and Governance, links widespread misunderstanding of the judicial system, not just here in St Lucia but elsewhere in

in such misconceptions. Not just the traditional self-doubt which leads some Caribbean people to think that what's foreign – in this case, British Privy Council judges – is better than what is available in the region. Mindful of the concerns about possible political interference, Dr. Anthony says CARICOM governments have "bent over backwards to insulate the court from political pressures".

This is seen particularly in how the CCJ will be funded, as well as in the procedure for the appointment of judges. Participating CARICOM governments have effectively paid up in advance for the CCJ by raising a loan of US\$100 million. These funds will be managed by an independent trust fund, and returns from investments will go towards meeting the CCJ's operating expenses. "There is no possibility of any government holding the court to ransom by withholding funds," assures Dr Anthony.

Where the appointment of judges is concerned, "the only point of intervention of governments is the appointment of the president of the court," explains Dr. Anthony who, as General Counsel at the CARICOM Secretariat in the mid-90s, had a hand in drafting the CCJ agreement.

The appointment of the president – as well as his removal if there is justifiable reason for doing so – can only be effected with a 3/4th majority vote by the contracting countries following a recommendation by the Regional Judicial and Legal Services Commission. The president of the CCJ doubles as chairman of the Commission.

whose other members will be chosen as follows:

1. two persons nominated jointly by the Organization of the Commonwealth Caribbean Bar Association and the OECS Law Association;
2. one chairman of the Judicial Services Commission of a contracting member state chosen in rotation in the English alphabetical order for a term of three years;
3. the chairman of a Public Service Commission of a contracting member state chosen in rotation in reverse alphabetical order to serve for a term of three years;
4. two persons from civil society nominated jointly the Secretary-General of CARICOM and the Director-General of the OECS following consultations with regional Non-Governmental Organizations (NGOs). The appointee will serve three years.
5. two distinguished jurists nominated jointly by the Dean of the Faculty of Law of the University of the West Indies, the Deans of the Faculty of Law of any other contracting parties, and the chairman of the Council of Legal Education; and
6. two persons nominated jointly by the Bar or Law Associations of the contracting parties.

You see it, for example, when persons, not understanding that the law explicitly provides for the separation of powers, argue that it's the Attorney-General who has the power to determine whether or not to proceed with a prosecution in a criminal case.

CCJ Independence

"The fact of the matter is the person who is responsible for prosecuting a case before the court is the Director of Public Prosecutions," Dr. Anthony makes clear. "There is no functionary who is as insulated from political pressure as the Director of Public Prosecutions."

"Likewise, there is widespread belief that somehow I can call up judges and magistrates and tell them what to do," he adds. "The number of citizens that I receive in my office complaining about judicial services, whether it is about lawyers or about the judicial process, ... are all coming with the belief that because you are prime minister, that you must interfere with the judicial process and actually dictate decisions. The fact is that the executive cannot interfere in the judicial process."

Somehow, public misgivings about the CCJ's independence may also be rooted



Local barristers at the opening of the Assizes

"It is not a situation, for example, as in the case of the OECS where the Prime Ministers themselves sit and, after consultation domestic or otherwise, proceed to make an appointment of a Chief Justice," Dr. Anthony points out. "There's even more protection because, in this instance, the president can only be appointed on the recommendation of the Commission..."

The recruitment of the other judges to serve on the CCJ will be done through an advertising campaign in the Caribbean and other parts of the Commonwealth. Appointments will be made by the Regional Judicial and Legal Services Commission

Some anti-death penalty critics of the CCJ have labeled it 'a hanging court'. It's a label Dr. Anthony dismisses, making clear that the idea of establishing the CCJ preceded the British Privy Council ruling in the Pratt & Morgan case that effectively blocks the execution of anyone who has been on death row for five or more years.

In fact, the idea of a Caribbean court dates back to the 1950s when the region was moving towards decolonization and the first formal attempt at political unity under the umbrella of the West Indies Federation. The West Indian Commission, which looked at the future of the Caribbean in the early

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ST. LUCIA'S ECONOMIC SURVIVAL - Another View

It was a political event but the guest speaker made it clear he wasn't delivering a political speech. Quite rightly so, because the economic message University of the West Indies economics professor, Dr. Trevor Farrell, was bringing, had relevance to everyone in St Lucia, regardless of political persuasion.

It was a message about the future, delivered to a St Lucian audience but, in effect, directed to the entire Caribbean. An incisive, thought-provoking analysis of why the region currently stands at an economic crossroads but, most importantly, what can be done to turn the situation around.

Today, more than ever, Professor Farrell contends, the Caribbean faces the imperative of change because of unprecedented pressures on the economy and society stemming from globalization. And, as he sees it, the process must begin with recognition by countries in the region that they have to address several critical challenges which will require "tough decisions" in some cases.

The first challenge is an acceptance that producing bananas, sugar and other commodities – the traditional bedrock of Caribbean economies – is no longer the way to go. Never mind that these industries previously brought good times for Caribbean people, the harsh reality now is that globalization has rendered these activities obsolete. The message to St Lucia and the other Windward Islands in respect of bananas was crystal clear.



ECONOMIC AGENDA: Professor Trevor Farrell spells out his prescription for change.

facilities to do that. You must work out a transition programme just like a company does when it goes into Chapter 11 bankruptcy in the United States."

Highlighting the ups and downs of bananas over the past two decades, especially since the acceleration of globalization in the early 1990s, Farrell presents a compelling case for reducing the role of bananas in the economy. After peaking at around 135,000



BANANAS: The Farrell blueprint proposes a phased reduction of their role in the economy.

"You have to abandon bananas," Farrell says. "When we say abandon bananas, I don't mean you could get up tomorrow morning and say 'Oh, guess what, we don't have a banana industry anymore. No, you say in five years, our banana production is going to be – pick a number; the acreage devoted to bananas is going to be reduced by – pick a number."

"Now, for that to happen," he adds, "you are going to have to think: these people who are now dependent on this, in year one, so many of them will be retrained, provided with facilities to do this; in year two, so many will be trained, provided with

tons in 1992 in a protected European market just as globalization was starting to gain momentum through the creation of the European Single Market, annual production has fallen steadily since then. To the point that output last year was lower than in 1983, notwithstanding substantial government support. Earnings, naturally, have reflected the same trend.

"...the nails in the banana coffin are being hammered in by several things," Farrell explains. "One is competition from Central America, South America, and second is the impact of globalization ... and specifically the development of the

European Union and the policies that are being pursued in the European Union. The end result is that internationally, banana prices have been weak just like the prices of all commodities."

Addressing Social Needs

"What's the consequence of this?" the professor goes on. "Well, when Prime Minister Anthony as Minister of Finance is struggling to find money in order to deal with the long list of social needs in St Lucia, this fall in revenues destroys his ability to spend the money that he would like to deal with the problems that St Lucia clearly has."

As an economist, Professor Farrell has had practical experience in turning around an ailing Caribbean economy that was



TOURISM: Dr. Farrell says hotels and beaches don't generate much money as some people believe.

dependent on a single industry. In the early 80s, a sharp drop in international oil prices plunged his native Trinidad & Tobago into an unprecedented crisis because of the severe battering the dominant petroleum industry received. He was part of a team that helped the 1986-1991 NAR government, led by A.N.R. Robinson, to put together a rescue plan for diversifying and turning around the economy.

Bananas

Dr. Farrell draws a correlation between what is happening to bananas now with what previously happened to 'King Sugar', the former backbone of several neighbouring countries, especially Barbados. Because of sugar, he says, the Caribbean was the wealthiest region in the world in the 18th Century. So much so that when the 13 British colonies in America rebelled to launch the American War of Independence that gave rise to the United States, Britain chose to focus on protecting its prized Caribbean possessions, instead of waging war to regain control of America.

"Where is sugar today? The story of sugar is just like the story of bananas. The impact of beet sugar, the impact of high fructose corn syrup, the impact of changing lifestyles, the market has disappeared and a similar set of factors has destroyed the banana industry," Dr. Farrell points out. "It is tempting to think you can hold on to (bananas). I am here to tell you it's futile. You have to change. You have to move elsewhere."

That "elsewhere" is services, especially tourism, the fastest growing sector of the world economy today. However, Professor Farrell sees certain challenges standing in the way of St Lucia and the rest of the region fully exploiting the potential of tourism. The first is the region's focus on low-yielding activities in the tourism chain, born out of a perception by some in the region that hotels and beaches are where the money is in tourism.

"...Where most of the money is made is not in the hotels and not on the beaches," Farrell points out. "Tourism is a value chain which begins in the source countries. It involves the marketing, advertising, promotion, travel, all the ancillary services, the food, the entertainment and that \$474 billion the tourism industry generated last year, only a small fraction of that was earned by the hotels."

As the UWI professor sees it, Jamaica's approach to tourism development offers a possible answer to the challenge facing the Eastern Caribbean. Specifically how Jamaica has been able to nurture the growth of strong indigenous international hotel chains, most notably Sandals and Super Clubs, and marry them to the national airline, Air Jamaica. This is particularly so in the case of Sandals whose chairman and CEO, Gordon "Butch" Stewart, is also chairman of Air Jamaica. Through this strategy, Jamaica directly participates in the key money-spinning elements of tourism, whereas the rest of the region doesn't.

Tourism

"Jamaica now is attracting 1.3 million tourists a year," Farrell observes. "What the Jamaicans have learnt is that they do not rely on foreign tour operators and travel agents and foreign control of marketing, advertising and promotion of their destinations and resorts."

"If you look at St Lucia and the OECS, the thing that strikes you is that there is no equivalent in the OECS or Barbados to Sandals and Super Clubs," Farrell adds. "This means that St Lucia and the other OECS territories and Barbados are not positioned to exploit the multiple facets of this tourism business. ...For St Lucia and the other OECS territories to do better in tourism, it is necessary to change the game."

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PRESIDENT HUNTE AT THE UNITED NATIONS



MEDIA ENCOUNTER: Every year, coinciding the start of the General Assembly, journalists from around the world get an opportunity to come to New York to see the United Nations at work.

As part of their familiarization with the work of the UN, 14 recipients of the Reham al-Farra Memorial Journalist's Fellowship got the opportunity to meet the President of the current 58th Regular Session of the United Nations General Assembly, St. Lucia's Minister for External Affairs, International Trade and Civil Aviation, Senator Hon. Julian R. Hunte.

This photo, compliments of the UN's Department of Public Information, captures the moment. Immediately on Senator Hunte's left is Radio St Lucia's own Lizza Joseph.

GOVERNMENT NOTICE

The Ministry of Physical Development, Environment and Housing is inviting bids for the supply and installation of a Biofiltration Sewer Treatment Plant, with a capacity of 80,000 gallons per day, for the Carellie/Black Mallet Development Project

The plant, which is to be connected to an existing small bore sewer reticulation network servicing 80 residential lots, is to be financed with a Caribbean Development Bank (CDB) loan covering the cost of the National Disaster Management Rehabilitation Project. The job also includes civil works specific to the design and construction of foundations to the biofiltration system.

Bidding is limited to firms, or joint ventures of firms which are legally incorporated or otherwise organized in, and have their principal place of business in one of the member countries of the CDB. Sealed bids must be submitted by 11 a.m. on January 21, 2004 to The Secretary, Central Tenders Board, Ministry of Finance, Old Government Building, Laborie Street, Castries, St Lucia. The telephone number is (758) 468-3929.

Meanwhile, eligible bidders may obtain further information from and inspect the bidding documents, between 9 a.m. and 4 p.m., Monday to Friday, at the Office of the Project Coordinator, Natural Disaster Management – Rehabilitation – Landslide Project, Ministry of Physical Development, Environment & Housing, Castries Waterfront, Castries, St Lucia. The telephone number is (758) 468-5039, fax - (758) 452-2506, or email mgittens@planning.gov.lc.

Instructions to bidders clearly state the information to be supplied with each bid. This includes, among other things, a requirement that the bid must be accompanied by a bid security in the amount of US\$13,600 or its equivalent in a freely convertible currency.

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Technological change and size are other factors which are increasingly making a difference in tourism. With size, comes economies of scale, more competitive prices, etc. Size is a factor which has undoubtedly played a key role in the success of a company like Sandals. The company, which currently operates three resorts here, operates a total of 14 hotels in five countries. Critical aspects of the operation are headquartered not in Jamaica, but in the United States which is a key business market.

Another imperative for the Caribbean if it is to weather the current economic storm is economic integration, says Farrell,

taking a lesson from the experience of the European Union. Yet, notwithstanding the move towards the establishment of the CARICOM Single Market and Economy which has been 17 years in the making, the tendency towards fragmentation in the region continues because as, Farrell puts it, "we all believe that we can fight these battles independently". Farrell finds this tendency baffling when the need for unity is so obvious to help regional countries overcome the constraint of smallness which renders them powerless in relation to the rest of the world.

In the next issue of NATIONWIDE Dr. Farrell looks at the future of manufacturing and the role of education, among other key issues.

HAIL! THE FESTIVE SEASON



PAN ON THE SQUARE: St Cecilia's Day in St Lucia is usually devoted to musical celebration. The tradition continued this year on Saturday, November 22nd, as musicians around the island played their melodious strains as a toast to their patron saint, Cecilia. In Castries, steelpan was the order of the day in the Derek Walcott Square. In this photo, members of the Diamond Steel entertain an appreciative audience.

THE CCJ

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1990s, reiterated the need for a regional court but specifically to enforce provisions of the CARICOM Treaty.

"The evidence actually flies in the face of those who argue that this is a hanging court," Dr Anthony contends. "Courts do not hang. Courts merely apply the law. Those who feel that hanging should not exist, that it is inhumane and degrading, their argument has to be with the Parliaments of the region, with those who make the law, not with the courts."

Dr. Anthony says the CCJ is necessary for the region to give true meaning to its independence by moving to assert full sovereignty over every facet of life. "Why on earth should we feel that we should compel the British to retain the Privy Council when the British have said to us time and time again 'Take your bundle and go!?' he asks. "Other Commonwealth countries have gone. Canada has gone. India has gone. Nearly all of the states in Africa have gone. Australia has gone. New Zealand has gone. What are we waiting for?"



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pm.

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